

*The Official Newsletter of  
NJ Merged Branch 38, NALC*



# THE SENTINEL

February 2022

## *Thank You & Stay Strong*



**President**

*by Mike O'Neill*

**It is with sincere humility that I thank the members of NJ Merged Branch 38** for allowing me to serve as President for the next three years. I also want to thank you for electing what I consider the most dedicated and effective group of officers to continue to work tirelessly on your behalf. I congratulate each of them, and thank them for their hard work and loyalty to the members they serve.

**We are approaching two years since the COVID-19 reared its ugly head and changed our lives.** Words cannot express how proud I am to be part of the organization that represents America's City Letter Carriers. You have demonstrated again how indispensable the Postal Service and the personal service provided by the letter carrier is to this nation and its citizens. You have sacrificed while performing your service, and your sacrifice has not gone unnoticed. Although often not appreciated by management, I can assure you that the American people are aware of and thankful for your dedicated service.

**Tens of thousands of letter carriers have contracted COVID-19** over the past two years, and we have lost many of our fellow

carriers and family members. These tragedies have been compounded by the challenges of child care and financial problems. NALC has negotiated and extended several MOU's in an attempt to address some of these issues. If you need assistance in understanding and/or enforcing these MOU's in your office, do not hesitate to contact your Area Representative.

**Very important additional help has been provided by the American Rescue Plan** signed by President Biden on March 11, 2021. One of the provisions of this Federal law makes it easier for carriers who have tested positive for COVID-19 to have claims for workers compensation accepted by OWCP. Details can be found on page 3. The NALC has gone to great lengths to assist our members in filing claims and having their claims accepted. You can help by spreading the word amongst your fellow carriers.

**Some information on obtaining at home COVID-19 tests.** Residential households in the U.S. can order one set of 4 free at-home individual rapid antigen COVID-19 tests. There is a limit of one order per residential address. To place your order, please go to: <https://covidtests.gov/>.

**Members who have the NALC Health Benefit Plan should also** know that for tests purchased on and after January 15, 2022, the Plan will cover FDA-authorized over-the-counter at-home COVID-19 diagnostic tests without any cost-sharing requirements, prior authorization, or other medical management requirements, regardless of whether ordered by a health care provider. Reimbursement will only be provided for tests purchased from a pharmacy or a retailer and is limited to eight (8) tests per covered person per 30-day period, unless prescribed by a health care provider. Please keep receipts of all purchased tests and call the Plan at 888-636-6252 (NALC) for further information on how to obtain reimbursement. Additional information can be found at [nalchbp.org](http://nalchbp.org).

# NEW JERSEY MERGED BRANCH 38

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Mark McGrady	Director of City Delivery
Christine A. Strasser	Corresponding Secretary
Pete Bednarz	Full-Time Area Rep
Roy Jancio	Recording Secretary
Dominic Walton	Sergeant-At-Arms
Ron Villegas	Director of Retirees

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Clint Colie	Keith Hemmings
Richard O'Connell Jr.	Joseph Otero
Armando Pedreira	

### PART TIME AREA REPRESENTATIVES

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Tamara Humphrey 973-444-5128

## DATES TO REMEMBER

### BRANCH MEETINGS

March 2, 2022  
April 6, 2022  
May 4, 2022  
June 1, 2022

### SPECIAL EVENTS

Presidents' Day  
February 21, 2022

Retirement Training  
March 27, 2022

Retiree Luncheon  
April 3, 2022

MDA Day at the Races  
May 22, 2022

Scholarship Night  
June 1, 2022

**NJ Merged Branch 38  
Web Site**

<http://www.branch38nalc.com/>

# *COVID & Workers' Comp*

**Have you had a positive COVID-19 diagnosis? If you have,** you should consider filing a claim with the Office of Workers' Compensation, OWCP. One of the reasons you should consider filing a claim is that contracting COVID-19 is considered a traumatic injury and you will be entitled to Continuation of Pay, and will not have to use your own leave. Another reason is that it has become much easier to have your claim accepted. Let me explain.

**The American Rescue Plan of 2021, that President Biden** signed on March 11, 2021, makes it much easier for federal and postal employees diagnosed with COVID-19 to have a claim accepted under the Federal Employees' Compensation Act (FECA).

**If a letter carrier (who comes in contact with coworkers or** members of the public) was previously diagnosed with COVID-19, or even if they believe they just had a mild case of COVID-19, they should consider filing a COVID-19 FECA claim now - even if they have fully recovered and/or had an asymptomatic infection.

**The long-term effect of COVID-19 are relatively unknown -** getting a claim accepted will protect anyone who may suffer medical and financial impacts in the future. In the event they develop a consequential injury, impairment or condition later as a result of their coronavirus infection, timely filing a claim now will facilitate the processing of any future claim for any such consequential condition or impairment.

**In order to have your claim accepted by OWCP, you need to** meet only two criteria. First, you need to document that you were diagnosed with COVID-19 while employed in the Federal service at any time during the period of January 27, 2020 to January 27, 2023. You also need to establish that your duties include any risk of exposure. Specifically, within 21 days of your diagnosis of COVID-19, you carried out duties that (a) required contact with patients, members of the public, or co-workers; or (b) included a risk of exposure to the novel coronavirus.

**What does the change in the law mean? It means that you are** only required to establish that your duties included a risk of exposure to COVID-19. You do not have to prove you were engaged in high-risk employment; that you were actually exposed to the virus; or that you were exposed to someone who had the virus while performing your duties. If you establish that you are a "covered employee," any diagnosed COVID-19 will be deemed to have been proximately caused by your Federal employment. You no longer have to establish a causal link between your employment and your COVID-19 diagnosis. Federal law now provides that OWCP will presume that a covered employee, which all letter carriers performing their normal duties are, contracted the coronavirus at work. Your claim will be accepted, and you will be covered.

**Again, if you were previously diagnosed with COVID-19 or** even if you believe you just have a mild case of COVID-19, you should consider filing a COVID-19 claim now, even if you have fully recovered and/or had an asymptomatic infection. In the event you develop a consequential injury, impairment or illness later as a result of your COVID-19 diagnosis timely filing your claim now will facilitate the processing of any future claim for any such consequential condition or impairment. If you wait until you experience a consequential injury or illness to file your COVID-19 claim, your claim may be subject to time limitations and you will have to establish both the initial COVID-19 claim and the consequential condition claim before benefits can begin.

**You can quickly and easily file a CA-1 Claim for COVID-19** through the Employees' Compensation Operations and Management Portal (ECOMP). You can access ECOMP at [ecomp.dol.gov](http://ecomp.dol.gov). If you have never used ECOMP, you can view an instructional video to learn how to register for an ECOMP account, and a video to learn how to file a COVID-19 claim. If you are uncomfortable filing the claim on your own, NALC has placed a number of our members on assignment to assist you. A member of Branch 38, Dave Picconi, had been on this assignment last year, and another Branch 38 brother, Anthony Feliciano, has recently been assigned to this very important service. All you need to do is provide your name and contact information to your Area Representative, and someone from NALC will contact and assist you.

**During the course of the coronavirus pandemic, tens of thou-**sands of letter carriers have tested positive for COVID-19. Unfortunately, only a small percentage of those carriers have filed claims with the Office of Workers' Compensation Programs, OWCP. Despite NALC's and the Department of Labor's attempts to publicize the change in the law, the word doesn't seem to be getting out. We also have brought this up at our Branch Meetings, but we continue to find members who have tested positive and have not filed a claim when we have Station Meetings or visit offices. Please help us to get the word out to your brother and sister carriers. If you know of any carrier who has tested positive for COVID-19, please share this article with them. You may be helping them greatly in the future.

***Check Out The New*  
*Branch 38*  
*Facebook Page*  
*"NJ Merged Branch 38"***

# CCA Rights & Benefits



## **Executive Vice President**

**by Dan Szucs**

**I would like to thank all letter carriers for the tremendous job you have done during this historic period in time. Your hard work and dedication have kept this country together throughout the pandemic.**

**Non-career city letter carriers have existed in the Postal Service since 1970, but city carrier assistants (CCA) are the first non-career employees with a direct path to career status. In 2012, NALC and USPS negotiations for a new collective-bargaining agreement reached impasse. The parties then engaged in binding arbitration before Arbitrator Shyam Das. The Das decision was followed by a new National Agreement, that remained in force until Sept. 20, 2019. This was followed by the current 2019-2023 National Agreement. These agreements have provided several improvements in pay, benefits and advancement procedures for CCA's.**

**All letter carriers who work for the United States Postal Service have rights and benefits that have been negotiated by the National Association of Letter Carriers. The NALC has made CCA rights and benefits a priority, and it is important that you educate yourself on these subjects. You should go to [www.nalc.org](http://www.nalc.org). Once you are on the home page, go to the tab across the top that says "Workplace Issues." You will see a drop down. Go to "City Delivery." There will be four different topics under City Delivery. You want to click on "CCA Contractual Issues," and this will take you to a section dedicated to CCA Rights and Benefits.**

**Once you are on this site, I encourage you to go to the "2019 Letter Carrier Resource Guide" that has a section devoted to CCA Rights and Benefits. In the booklet, it covers subjects that include Union Representation, Discipline & Weingarten Rights, Pay & Overtime, Health Benefits, Life Insurance, Lunch & Breaks, Injury Compensation, Uniforms and other topics that explain all of your Rights and Benefits.**

**Also under CCA Contractual Issues, you will find several MOU's (Memorandum of Understanding) that are dedicated to CCA's. A good MOU for you to learn is M-01870, "CCA Ques-**

**tions and Answers," which covers several subjects. M-01827 CCA's - Temporary Assignments to Other Post Offices, which includes your right to be paid for mileage. There are many more MOU's that pertain to your rights. On the NALC homepage, there is a search engine in the upper right-hand corner where you can type in any issue you may want information on.**

**It is very important for you to educate yourself on your rights and benefits. Sometimes the shop steward in your office is not at work, and management does something to violate your rights. If you are not aware of your rights being violated, a grievance might not get filed on your behalf. You are the eyes and ears when the union representative is not at work. It is important to note that the language of the M-41 Handbook clearly states that we must obey the instructions of the supervisor, then grieve it if there is a violation. Always keep in mind, if you are not sure, or if you have any questions, talk to your shop steward or call the Branch office.**

## **Bob Paccioretti**

### **MDA Shamrock Drive**

We want to thank all of our friends and members who helped us to raise nearly \$50,000 for MDA in 2021. That total is sure to have made Branch 38 one of the top fund raisers in NALC once again.

The battle, however, is not over. A cure has not been found, and there are many clients still in need of assistance from MDA and friends such as you. The COVID-19 pandemic has impacted MDA and the clients they assist more than you might imagine. For people with muscular dystrophy, contracting COVID-19 would most likely be a death sentence. As a result, they are and have been in quarantine throughout the pandemic. MDA's fund raising ability has been severely restricted. They have been forced to reduce their operation in order to continue to provide services to their clients.

The Bob Paccioretti MDA Shamrock Campaign has become one of the most successful fund raisers in recent years, thanks to your help and generosity. We are again asking for your support. Please reach out to your shop steward or Area Representative and offer to purchase a Shamrock for \$5.00 in support of MDA and in memory of our friend and brother, Bob Paccioretti. Thank you all in advance for your help and continued generosity.

# Medical Documentation



***Treasurer***

**by Joseph Rutkoski**

When an employee calls in sick, management has the right, under certain circumstances, to request medical documentation. This article will focus on those circumstances, and what the documentation must include.

**Medical certification.** ELM Section 513.361 and .362 establish three rules:

a. For absences of **more** than three days, an employee **must** submit "medical documentation or other acceptable evidence" in support of an application for sick leave ("three days" means three scheduled work-days; Step 4, H1N-5B-C3428, November 3, 1983, M-00489); and

b. For absences of three days or less a supervisor may accept an employee's application for sick leave without requiring verification of the employee's illness (unless the employee has been placed in restricted sick leave status, in which case verification is required for every absence related to illness, regardless of the number of days involved); however,

c. For absences of three days or less a supervisor may require an employee to submit documentation of the employee's illness "when the supervisor deems documentation desirable for the protection of the interests of the Postal Service."

**Section 513.364 of the Employee and Labor Relations Manual** reads as follows: When employees are required to submit medical documentation pursuant to these regulations, such documentation should be furnished by the employee's attending physician or other attending practitioner. Such documentation should provide an explanation of the employee's illness or injury sufficient to indicate to management that the employee was (or will be) unable to perform his normal duties for the period of absence. Normally, medical statements such as "under my care" or "received treatment" are **not** acceptable evidence of incapacitation to perform duties. Supervisors may accept proof other than medical documentation if they believe it supports approval of the sick leave application.

**To be clear, the ELM provisions stated above are in no way meant to be interpreted as a requirement for your physician to include a diag-**

noses in the medical documentation. That would be a HIPPA violation. The only thing the physician is required to do is to provide an explanation of the employee's illness or injury sufficient to indicate to management that the employee was unable to perform his/her normal duties. This can be accomplished by having your doctor write in the doctor's note the following words: The employee was "**unable to work,**" or that the employee was "**incapacitated.**"

**Sections A and B of the above ELM Sections are relatively easy to understand, but what about Section C?** For absences of three days or less a supervisor may require an employee to submit documentation of the employee's illness "when the supervisor deems documentation desirable for the protection of the interests of the Postal Service." When is it warranted to request medical documentation under Section C of the ELM513.361? The answer to this question is not as clear as it is in A and B. What follows are examples of how arbitrators have ruled on this issue in the past when determining if management was justified to request medical documentation from an employee who called in sick for three days or less. Here are just a few examples.

**In arbitration case C-05348, the arbitrator ruled that certification** was properly required when a heated discussion between the supervisor and the employee concerning the employee's duties was followed by a request for sick leave by the employee. The same conclusion has been drawn in other cases where an employee outwardly shows that she/he is unhappy with her or his assigned duty and then asks for sick leave. In C-03347 the arbitrator wrote, "Given the appearance of the grievant's good health just prior to the undesirable assignment, there was sufficient grounds for suspicion that the sudden inability to work coinciding with the notice of an undesirable route assignment was too coincidental, thereby placing the burden on the grievant to establish his illness by medical documentation."

**The request for medical documentation has usually been found** proper by many arbitrators when the employee asked for sick leave after his or her request for auxiliary assistance has been denied.

**Most arbitrators have also concluded that medical documentation** was properly requested by a supervisor when the employee called in for sick leave for a day for which the employee had previously requested annual leave

**While a supervisor has discretion to request medical certification,** such discretion must be exercised on a case-by-case basis, rather than requiring that all employees submit certification for absence on a certain day. In national level settlement M-00662, NALC and USPS agreed that local management's requirement that substantiation for illness must be submitted by any and all carriers absent on the day following a holiday was "contrary to national policy." Where the supervisor does not have a factual basis for requiring certification, and instead relies on a mere feeling that certification should be provided, arbitrators generally find certification to have been unreasonably required.

**Watch for my next article for examples of arbitration decisions that** have found that management's request for medical certification was improperly required, and the remedy the employee would be entitled to if medical documentation was improperly requested by management.

# Membership Recognition

The NALC provides lapel pins in recognition for membership of 25 years or more, and for each additional five years. We also award Gold Cards for 50 years of membership, and plaques for 70 & 75 years of membership. The Gold Card comes with the added benefit of no more dues. All of these special awards are available upon request. If you believe that you are entitled to any of these awards, contact Director of Retirees, Ron Villegas at 973-564-7244 (Ext.21) and we will check our records and request the awards from NALC Headquarters. Thanks to all of you for your loyal support.



Leonard Gehlaus, retired from the Red Bank office, received his Gold Card for fifty years of membership in NALC.



Anthony Castiglione was recently honored for 65 years of membership in NALC.



Douglas Adams Jr. is presented with his 30 year lapel pin by Mike O'Neill.



President O'Neill and EVP Szucs recently presented several lapel pins to carriers at the Newark Main office in recognition of 25, 30, 35 & 40 years of membership.



Mike presents a 25 year pin to Joe Vargas of the Phillipsburg office, with Steward Brian Housel and Area Rep Joe Otero.

# Is Your Route Overburdened?



**Director  
of  
City  
Delivery**

**by Mark McGrady**

Although the volume of letters and flats may have diminished during the pandemic, the volume of parcels has increased significantly in many offices. This has resulted in many overburdened routes. If you feel your route is overburdened, you can request a special route inspection under the provisions of Section 271g of the M-39. There are criteria you must meet. The M-39 states a special route inspection may be required when one or more of the following conditions or circumstances is present.

- a. Consistent use of overtime or auxiliary assistance.
- b. Excessive undertime.
- c. New construction or demolition which has resulted in an appreciable change in the route.
- d. A simple adjustment to a route cannot be made.
- e. A carrier requests a special inspection, and it is warranted.
- f. Carrier consistently leaves and/or returns late.
- g. If over any 6 consecutive week period (where work performance is otherwise satisfactory) a route shows over 30 minutes of overtime or auxiliary assistance on each of 3 days or more in each week during this period, the regular carrier assigned to such route shall, upon request, receive a special mail count and inspection to be completed within 4 weeks of the request. The month of December must be excluded from consideration when determining a 6 consecutive week period. However, if a period of overtime and/or auxiliary assistance begins in November and continues into January, then January is considered as a consecutive period even though December is omitted. A new six consecutive week period is not begun.

If you meet any of the qualifying reasons for a special route inspection stated above, you should request a special inspection. Your request must be in writing. Once management receives the request for the special inspection, they have 28 days to conduct the special inspection. You can ask your union representative for the paperwork to submit the request. Every route in your office should be as close to eight hours as possible. There is no reason

you should have to work overtime every day because your route is 30 minutes overburdened.

The special route inspection is conducted in the same manner as a formal count and inspection. That is a six-day mail count, five days in which you will fill out the paperwork, PS Form 1838-C. Management can walk you up to three days on the street, but only one of those walks is counted as the official day of inspection, during which the examiner will fill out the PS Form 1838-C.

Do not let management talk you out of requesting a special route inspection. Once a special inspection is requested and qualifies for an inspection, management cannot offer auxiliary assistance or an adjustment on the route to avoid the special inspection. You should also not be intimidated out of requesting a special inspection. We will assist you throughout the process, review all the documents, and make sure any adjustment is properly implemented. Management is required to adjust all routes to as close to eight hours as possible. Make sure that your's is.

If management denies the requested special inspection, or fails to do the inspection by the last day the inspection could be started, have your Shop Steward or Area Representative file a grievance for violating the M-39 section 271 and Article 41.3.S of our National Agreement.

## CCA Conversions to Career

As a result of the new provisions in the National Agreement, many CCA's are being converted to career status. It is important that these carriers are aware that when they are converted, management is obligated to provide Career Conversion Training to each employee. That normally is conducted at District Headquarters. During that training, employees are informed of their newly acquired benefits, which include health insurance and Federal Employee Life Insurance. There are strict time frames in which the employee must enroll in these programs, or wait until the next open season. Anyone who is converted to career status should contact the Branch office, and we will make sure you are included in the next available Career Conversion Class. We want to make sure every one of our new career letter carriers receives all they are entitled to.

# Feel Like You're Being Watched?



## **Financial** **Secretary**

**by Christine Strasser**

Some of you may remember a song from the early 1980's, "*It Always Feels Like Somebody Is Watching Me*," by Rockwell. The song had a catchy beat, and when I began my Postal career, it was a running joke. We would start to sing it when we were being watched by management on our routes. I credit those managers. At least they could still follow the contract, handbooks, and manuals. Now there is a new breed of managers. They want to observe you using technology as their tool of choice, not the old fashioned way of physically observing a letter carrier. The technology is not new. It has been around for years. It is called DMS, an acronym for Delivery Management System.

The Delivery Management System (DMS) is a computer program that tracks tiny trucks or dots on a computer screen. The tiny trucks stay green if the letter carrier is on time, according to DOIS. If the letter carrier is running late, the tiny truck turns red. If the dots keep moving, you are good. If they stay in one location too long, we have a "stationary event," and we have a problem.

When the DMS program was introduced, it was to aid supervisors to track letter carriers who fell behind. The supervisor could then go directly to the location, and investigate if there was a problem. The DMS was also introduced to provide customers access to the status of their package deliveries, by using GPS and data from the scanners. At first glance, this sounds like a great program to bring the United States Postal Service into an already competitive delivery business. Sadly, this is not how management is using the DMS program.

Supervisors are being alerted through the DMS program whether letter carriers are "excessively" backing up in their vehicles. The supervisors are not witnessing the "excessive backing" during a street observation. They will sometimes print a computer screen shot of the "excessive backing." There is no PS Form 4584, Observation of Driving Practices provided to the letter carrier or available during the Pre-Disciplinary Interview (PDI). During the PDI, the letter carrier may be asked about several dates and several streets on which the "excessive backing" is alleged to have

occurred over the course of a month. When the letter carrier responds, "no" or "I do not know," the carrier is automatically considered guilty of violating the District policy on backing, and discipline is issued for a safety violation.

I do not disagree that safety is important and should be a priority every day. Management's new practice of using technology in that manner is wrong and against the contract, handbooks, and manuals. Supervisors are allowed to conduct street observations. Their job is to manage letter carriers in the office and on the street. The observations should not be conducted in a covert manner, meaning they should approach you and discuss your observation with you at the time of the observation. You should be commended, or corrected if there is a safety violation. They should not hide behind a tree, car, or a computer program to trap a letter carrier in the case of a safety violation. With managers using the DMS technology to issue discipline, you should be aware that you are constantly being "watched." More than ever, there is more truth to the old catchy song, "*It Always Feels Like Somebody Is Watching Me*." Also be aware that you have rights, and that your union representative is there to help protect those rights. Any discipline issued based solely on scanner or computer reports should be challenged.

## **Sign Up for the Letter Carrier Political Fund Now!!!**

**Help Protect:**  
**Your Job**  
**Your Benefits**  
**The Postal Service**

**Go to: <http://nalc.org/>**

By making a contribution to the Letter Carrier Political fund, you are doing so voluntarily with the understanding that your contribution is not a condition of membership in the National Association of Letter Carriers or of employment by the Postal Service, nor is it part of union dues. You have a right to refuse to contribute without any reprisal. The Letter Carrier Political Fund will use the money it receives to contribute to candidates for federal office and undertake other political spending as permitted by law. Your selection shall remain in full force and effect until cancelled. Contributions to the Letter Carrier Political Fund are not deductible for federal income tax purposes. Federal law prohibits the Letter Carrier Political Fund from soliciting contributions from individuals who are not NALC members, executive and administrative staff or their families. Any contribution received from such an individual will be refunded to that contributor. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year.

# Family & Medical Leave Act



**by Pete Bednarz**

**Full-Time  
Area Rep  
& HBP Rep**

This article is a brief guide and reference for all letter carriers who are unaware of their rights under the Family and Medical Leave Act of 1993. The Postal Service regulations implementing the Act can be found in Section 515 of the Employee and Labor Relations Manual (ELM). The law entitles eligible employees to take up to 12 work weeks of job-protected absences during the 12-month Postal calendar year. To be eligible, the employee must have worked for the USPS for an accumulated total of 12 months, and must have worked at least 1,250 hours during the 12-month period before the date of the leave. The absences that qualify as FMLA may be charged as sick leave, annual leave, continuation of pay, leave without pay or a combination of these.

**FMLA protects carriers from getting disciplined for their attendance.** Make sure you contact your union shop steward if you get any form of discipline for your attendance that is covered by FMLA. Acceptable reasons for using FMLA would be an employee's own serious health condition, to take care of an employee's child, spouse, or parent with a serious health condition, or to take care of an employee's newborn child. A serious health condition could be a traumatic injury (on or off the job), an incapacitating illness (self or family member), a chronic health condition, or a pregnancy.

**When employees feel they qualify for FMLA, they should follow a couple of steps:**

- If the need for FMLA is foreseeable (Example- scheduled surgery) a PS Form 3971 should be provided to management at least 30 days before the absence, or as soon as possible.
- When the need for leave is not foreseeable, a PS Form 3971 should be given as soon as practicable.
- It is the employee's responsibility to provide sufficient medical documentation to establish a serious health condition. Make sure the documentation states that the employee is incapacitated or unable to perform the duties of his/her job.
- Just like any other absence, the employee must call the (877-477-3273) sick line. Say yes when prompted if this is a FMLA condition.

**The USPS will send an FMLA packet within a couple of days** after the sick call. It will include a Department of Labor Form WH-380-E for an employee's own serious health condition. If the leave taken is for an employee's family member, then the form will be a WH-380-F. Once you receive the forms and an FMLA case number, you will have 15 days to return the completed forms to:

HRSSC FMLA Northeast  
P.O.Box 970901  
Greensboro N.C. 27497-0901  
Fax-651-456-6062

**If you miss the 15-day limit, your case will be denied.** Make sure your doctor has all the information filled out, and is aware of the time limit. The FMLA forms can also be found at our Branch 38 website in the Forms Vault.

**All letter carriers should know their contractual rights and laws that protect them.** There are too many carriers getting disciplined for attendance that can be avoided if they apply for FMLA. Management is prohibited from interfering, restraining, or denying of any rights provided by FMLA. They can't retaliate against any carrier exercising their FMLA rights. Management can't use it as a negative factor in employment actions such as promotions, hirings, transfers, or disciplinary actions. If any carrier has problems or questions about their FMLA rights, contact your shop steward or Branch 38 Area representative.

## Download The NALC Member App

The app contains links to workplace resources, including the National Agreement, the JCAM, the MRS, CCA resources and more. It also includes legislative tools, such as a bill tracker, an individualized list of your Congressional Representatives and PAC information. One of the coolest features is an Interactive Non-Scheduled Days calendar. Available for iPhone and Android smartphones. The app is available at the Apple App Store or the Google Play Store. Search for "NALC Member App." Go to NALC.org for more information.

# *PS Form 3996 Protects You*



**Recording Secretary**

*by Roy Jancio*

**PS Form 3996 is one of the most important forms available to protect you as a letter carrier!** If you believe you will be unable to complete your daily assignment within eight hours, you will need management's approval to use overtime or to get assistance. Without a copy of a properly submitted PS Form 3996, you may be disciplined for using unauthorized overtime. Without a properly completed 3996, we may be unable to successfully file a grievance regarding a contractual violation of the national agreement concerning issues such as overtime. It is not enough to say "management knew I would be late," we must be able to document that you told them.

**Management is required to give you this form when you request one.** If they refuse, have your steward initiate a grievance. It is

your responsibility to submit the PS Form 3996 in a timely manner. Make certain that the supervisor acts on your request, so you know if your request is authorized or denied. After completed by the supervisor, ask for your copy prior to leaving for your street duties. If you don't receive a copy, contact your shop steward.

**If you determine you still cannot complete your assignment** after you have already left for the street, it is your obligation, when reasonably aware of the situation, to contact management and inform them of your circumstances. You must have a legitimate reason for requesting the additional time. Once they are notified, it will be their decision to send you assistance, have you complete your assignment, or tell you to bring back the mail. It's a good idea to note the time you called, and who you contacted. Be sure to get specific instructions. If given an ambiguous answer, bring the mail back to avoid being disciplined for using unauthorized overtime. If instructed to continue delivery at that time, follow those instructions.

**You must follow these procedures in order to fully protect yourself.** If you fill out a PS Form 3996 in the morning, and timely notify management if you need additional time or assistance for a legitimate reason later in the day, the NALC can successfully defend you, if discipline is issued. Retain all copies of PS Form 3996 submitted.



**NJ Merged Branch 38 Executive Board**

# *NJ Merged Branch 38 Scholarship Application*

NJ Merged Branch 38 is proud to announce that we are now accepting applications for our 37th annual scholarships in honor of former Executive Board Member of NJ Merged Branch 38, Michael J. McTigue, former Branch Chaplin, Gil Hampton, former National Secretary Treasurer, Richard O'Connell, and former State Association President Tony Massa.

All four scholarships are in the amount of \$1,500 and will be awarded to four dependents of Branch 38 members in their final year of high school. The scholarships will be presented to the winners at the Branch Meeting on June 1, 2022 at the Woodbridge Elk's Lodge #2116, 665 Rahway Avenue, Woodbridge, NJ.

To be eligible, the applicant must be the son or daughter of an active or retired member of Branch 38, and must be graduating from an accredited secondary school this year, and planning entry into an accredited college or university this September. Other applicants will be considered where a member of Branch 38 is shown to be the student's primary source of dependency.

Interested applicants should fill in the accompanying form on this page, and provide the requested information in a legible manner and send, along with their High School transcript to: NJ Merged Branch 38 Scholarships, 374 Morris Avenue, Springfield, NJ 07081-1106.

The transcript must include S.A.T. scores, scholastic records, and any extra-curricular activities participated in. Recommendations of faculty or guidance personnel may also be included.

For questions or additional information, please contact Mike O'Neill at 973-564-7244 (Ext. 18).

**APPLICATIONS MUST BE RECEIVED  
NO LATER THAN  
MAY 15, 2022**

## 2022 SCHOLARSHIP APPLICATION

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Phone #:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Name of Branch 38 Member  
(Parent or Guardian)**  
\_\_\_\_\_

**Office Employed:** \_\_\_\_\_

**Name & Address of High School:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**List of Colleges or Universities Applied To:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature of Applicant:**  
\_\_\_\_\_  
\_\_\_\_\_

**Signature of Member:**  
\_\_\_\_\_  
\_\_\_\_\_

# THE SENTINEL

NJ Merged Branch 38, NALC  
374 Morris Avenue  
Springfield, NJ 07081

NON-PROFIT  
U.S. POSTAGE  
**PAID**  
PERMIT #398  
TRENTON, NJ

**ADDRESS SERVICE REQUESTED**



## Branch Meeting Information & Directions

Meetings are held at 7:30 PM on the first Wednesday of each month, except July & August.

The Branch Meetings are held at:

**ELKS BPO LODGE #2116**  
**665 RAHWAY AVENUE**  
**WOODBIDGE, NJ 07095**  
**732-634-2116**

**Directions:**

**SOUTH** on Garden State Parkway. Take Exit #129 to Route 9 North to Woodbridge Exit (Just after the Forge Restaurant on your right). At the end of the Exit Ramp, turn right onto Main Street (Route 514) and proceed until you reach a monument at City Hall. Bear left onto Rahway Avenue. The Elks is @1/2 mile down the road on your left.

**NORTH** on Garden State Parkway. Take Exit #127 to Route 9 North and follow directions above.

**NJ Turnpike.** Take Exit 12 (Carteret). Bear right after toll booth and turn left at light after overpass. Proceed through industrial park to Rahway Avenue and turn left. The Elks is 1 mile ahead on your right.